

House File 2357 - Introduced

HOUSE FILE 2357

BY SHAW

A BILL FOR

1 An Act limiting the authority of a governing board of an
2 accredited public or private college or university in Iowa
3 from adopting or enforcing any policy or rule that prohibits
4 the carrying, transportation, or possession of any dangerous
5 weapon in the buildings or on the grounds of such colleges
6 or universities and including penalties.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 260C.14A Limitation on authority —
2 dangerous weapons.

3 The board of directors of a community college shall comply
4 with the requirements of section 724.8A regarding policies and
5 rules relating to the carrying, transportation, or possession
6 of dangerous weapons in the building or on the grounds of the
7 community college.

8 Sec. 2. NEW SECTION. 262.9D Limitation on authority —
9 dangerous weapons.

10 The state board of regents shall comply with the
11 requirements of section 724.8A regarding policies and rules
12 relating to the carrying, transportation, or possession of
13 dangerous weapons in the building or on the grounds of a
14 university under the control of the state board of regents.

15 Sec. 3. NEW SECTION. 724.8A Limitation on authority —
16 dangerous weapons — colleges and universities.

17 1. The governing board of an accredited public or
18 private college or university, including but not limited to
19 a university under the control of the state board of regents
20 as provided in chapter 262, or a community college under
21 the jurisdiction of a board of directors for a merged area
22 as provided in chapter 260C, shall not adopt or enforce any
23 policy or rule that prohibits the carrying, transportation,
24 or possession of any dangerous weapon, as defined in section
25 702.7, in the buildings or on the grounds of such colleges or
26 universities by a person who possesses a valid permit to carry
27 weapons pursuant to section 724.6 or 724.7.

28 2. A governing board found to be in violation of subsection
29 1 shall be assessed a civil penalty of between two thousand
30 five hundred dollars and five thousand dollars and shall be
31 ordered to pay the plaintiff's reasonable attorney fees and
32 court costs.

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EXPLANATION

34 This bill provides that the governing board of an accredited
35 public or private college or university, including but not

1 limited to a university under the control of the state board
2 of regents as provided in Code chapter 262, or a community
3 college under the jurisdiction of a board of directors for a
4 merged area as provided in Code chapter 260C, shall not adopt
5 or enforce any policy or rule that prohibits the carrying,
6 transportation, or possession of any dangerous weapon, as
7 defined in Code section 702.7, in the buildings or on the
8 grounds of such colleges or universities by a person who
9 possesses a valid permit to carry weapons pursuant to Code
10 section 724.6 (professional permit to carry weapons) or Code
11 section 724.7 (nonprofessional permit to carry weapons).

12 The bill provides that a governing board found to be in
13 violation of the bill shall be assessed a civil penalty
14 of between \$2,500 and \$5,000 and shall pay the plaintiff's
15 reasonable attorney fees and court costs.

16 A dangerous weapon is any instrument or device designed
17 primarily for use in inflicting death or injury upon a human
18 being or animal, and which is capable of inflicting death
19 upon a human being when used in the manner for which it was
20 designed, except a bow and arrow when possessed and used
21 for hunting or any other lawful purpose. Additionally, any
22 instrument or device of any sort whatsoever which is actually
23 used in such a manner as to indicate that the defendant intends
24 to inflict death or serious injury upon the other, and which,
25 when so used, is capable of inflicting death upon a human
26 being, is a dangerous weapon. Dangerous weapons include but
27 are not limited to any offensive weapon, pistol, revolver, or
28 other firearm, dagger, razor, stiletto, switchblade knife,
29 knife having a blade exceeding five inches in length, or any
30 portable device or weapon directing an electric current,
31 impulse, wave, or beam that produces a high-voltage pulse
32 designed to immobilize a person.